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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

GREENACTION FOR HEALTH AND  
ENVIRONMENTAL JUSTICE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE  
NAVY et al.,

Defendants.

Case No. 3:24-cv-3899-VC

**SECOND STIPULATION AND  
PROPOSED ORDER TO CONTINUE  
CASE MANAGEMENT  
CONFERENCE**

Under Civil Local Rule 6-1(b) and the Standing Order for Civil Cases Before Judge Vince Chhabria, paragraph 14, Plaintiff and Defendants (together, the “Parties”) stipulate to and request an order from the Court to continue the initial case management conference to February 7, 2025, with the joint case management statement and Federal Rule of Civil Procedure (“Rule”) 26(a) initial disclosures due January 31, 2025, and Rule 26(f) deadline on January 17, 2025, or the next available dates thereafter. The initial case management conference is currently scheduled for November 22, 2024.

The parties previously stipulated to and this Court ordered to continue the initial case management conference from September 27, 2024, to November 22, 2024. ECF No. 14. The Parties also stipulated to extend Defendants’ responsive pleading deadline from September 16, 2024, to October 30, 2024. ECF No. 15. There have been no other extensions of time in this case.

On October 18, 2024, Plaintiff filed the First Amended Complaint. ECF No. 16. On November 1, 2024, Defendants filed a motion to dismiss the First Amended Complaint with a noticed hearing date on January 23, 2025. ECF No. 21. The motion, if granted in full, would be dispositive. The stipulated new date for the initial case management conference, February 7, 2025, is 15 days after the noticed hearing date. The Parties believe it would serve judicial economy for the Court to receive full briefing and conduct the motion hearing before holding the initial case management conference. If Defendants’ motion is not granted in full, this case may require review of some claims based on the administrative record, and discovery under the Rules for others, depending on which claims remain. It would be in the interests of the Parties and judicial economy to address this issue, on which the Parties may disagree, based on the claims that move forward in the case, if any.

To do so, the Parties request that the Court enter an order continuing the initial case management conference as requested above.

Respectfully Submitted,

Dated: November 1, 2024

/s/ with permission  
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Dated: November 1, 2024

/s/ David Mitchell  
DAVID D. MITCHELL  
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United States Department of Justice  
Environment & Natural Resources Division  
Environmental Defense Section

*Counsel for Defendants*

### **FILING ATTESTATION**

I attest that the signing counsel for Plaintiff concurs in filing this document.

Dated: November 1, 2024

/s/ David Mitchell  
DAVID D. MITCHELL  
United States Department of Justice  
Environment & Natural Resources Division  
Environmental Defense Section

**PROPOSED ORDER**

Based on stipulation and for good cause shown, the initial case management conference currently scheduled for November 22, 2024, is continued to February 7, 2025. The joint case management statement and initial disclosures are due January 31, 2025. The Federal Rule of Civil Procedure 26(f) conference deadline is January 17, 2025.

**IT IS SO ORDERED**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Vince Chhabria  
United States District Judge